

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

ELOUISE BRADLEY,

Plaintiff,

-vs-

Case No. 12-C-1244

**WISCONSIN DEPARTMENT OF
CHILDREN AND FAMILIES,**

Defendant.

DECISION AND ORDER

In this *pro se* complaint, Elouise Bradley sues the Wisconsin Department of Children and Families regarding various regulatory actions taken with respect to her child care business. The Court lacks subject matter jurisdiction over these claims. To the extent that Bradley's complaint could be construed to state a claim for relief under 42 U.S.C. § 1983, the defendant is entitled to sovereign immunity. *Smith v. Wis. Dep't of Agric., Trade & Consumer Prot.*, 23 F.3d 1134, 1139 (7th Cir. 1994) ("DATCP is a state agency. It therefore has sovereign immunity, and Smith cannot recover damages against it in federal court."); *Thomas v. Ill.*, 697 F.3d 612, 613 (7th Cir. 2012) ("The suit is against a state and a state agency and Congress did not abrogate the states' sovereign immunity from suit under section 1983, as it could have done.").

IT IS HEREBY ORDERED THAT:

1. Defendant's motion to dismiss [ECF No. 4] is **GRANTED**;

2. Plaintiff's motions for sanctions and for default judgment [ECF Nos. 10, 11] are **DENIED**; and

3. This matter is **DISMISSED**. The Clerk of Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 15th day of March, 2013.

BY THE COURT:


HON. RUDOLPH T. RANDA
U.S. District Judge